

2005 LEGISLATIVE BRIEFINGS

Summary of Laws of Particular Interest to the City of Morgan Hill

AB 11

Local Agency Legislative Bodies: Compensation

- General Law City Council Member Compensation. Unless specifically authorized by another statute, a city council may not enact an ordinance providing for compensation to elected city council members in excess of the rates authorized under Government Code section 36516.
- Compensation for Service on Community Redevelopment Agency or Community Development Commissions.
 - If a community development commission is formed to oversee redevelopment functions, commission compensation may not exceed \$75 per commissioner per meeting with a maximum of two meetings (\$150) per month.
 - If a community development commission is formed to oversee both redevelopment and housing authority functions, commission compensation may not exceed \$150 per commissioner per meeting, with a maximum of two meetings (\$300) per month.
- Compensation for Service on Other Commissions Authorized by Statute. If a statute does indeed provide for additional council member compensation for serving on a commission – but that statute does not specify an amount of compensation – the compensation shall be \$150 per month.

AB 1234

Local Agencies: Compensation and Ethics

This law implements the following requirements:

- Ethics Training: Local Agency officials (including elected officials) must take two hours of ethics training every two years. The training can be online or self-study.
- Expense Reimbursement: Local Agencies that reimburse expenses of members of their legislative bodies must adopt written expense reimbursement policies that specify procedures for requesting reimbursement and rates for meals, lodging, travel and other expenses (or default to the IRS guidelines). Local agency officials are also required to take advantage of conference group rates and use practical and economical modes of transportation and lodging. (Note: this conforms to the recommendations of the Institute for Local Government's Of

Cookie Jars and Fishbowls: A Public Official's guide to Use of Public Resources publication, which was cited as the basis for these requirements.

- Per Diems for Special District Officials: This law specifies, with respect to certain special districts, under what circumstances a director's service (usually paid as a per diem) would be compensable (for example, a meeting of the special district governing body). The district could specify additional activities by local policy.

May be of particular interest to Tony

SB 1037

Energy Efficiency. Transmission Lines

This law requires the PUC, in consultation with the Energy Commission, to identify all potentially achievable cost-effective electricity efficiency savings and to establish efficiency targets for an electrical corporation to acquire all available energy efficiency and demand reduction resources that are cost effective, reliable and feasible. The law also requires similar actions for natural gas corporations.

The law also requires the PUC, in considering an application for a certificate of public convenience and necessity for an electric transmission facility, to consider cost-effective alternatives to transmission facilities that meet the need for an efficient, reliable and affordable supply of electricity, including specified demand reduction resources. Finally, this law requires each local publicly owned electric utility, in procuring energy, to first acquire all available energy efficiency and demand reduction resources that are cost-effective, reliable and feasible.

May be of particular interest to Human Resources, Finance

AB 1666

Military Service: Benefits

This law provides protections for National Guard personnel ordered into state or federal service with respect to payment of a variety of fees. Of particular interest to cities are the fees and provisions regarding garbage, water, sanitation, gas and electric utility service.

May be of particular interest to Purchasing

AB 1660

Vehicular Air Pollution: Energy-Efficient Vehicles

This law creates the California Energy-Efficient Vehicle Group Purchase Program in the Department of General Services to encourage the purchase of energy-efficient vehicles by local and state agencies through a group-purchasing program.

The law provides that on and after January 1, 2006, when awarding a vehicle procurement contract, every city, county and special district, including a school district and a community college district, may evaluate and score fuel economy, in addition to

other life cycle factors, in choosing cars or light-duty trucks, with the lowest life cycle cost. It also provides that the agency may require that 75% of the passenger cars or light duty trucks, to be acquired be energy-efficient vehicles.

May be of particular interest to Public Works

AB 338

Recycling: Crumb Rubber

This law requires Caltrans to use asphalt containing crumb rubber in highway construction projects in increasing amounts according to a phase-in schedule. It also requires continuing analysis of the cost differential of crumb rubber asphalt, and requires that the crumb rubber component be obtained from U.S. sources.

May be of particular interest to Public Works

AB 574

Recycled Concrete

This law establishes a mechanism for encouraging the use of recycled concrete as an alternative to use of virgin concrete. It authorizes recycled concrete to be used if the end user has been fully informed that the concrete is recycled concrete.

May be of particular interest to Tony

SB 1106 (Committee on Environmental Quality)

Public Contracts

This law makes a number of changes to the State Agency Buy Recycled Campaign, including deleting overlapping, duplicative, and conflicting sections and consolidating and re-organizing language within the Public Resources and Public Contract Codes. It also makes technical changes to solid waste reporting requirements for local agencies.

May be of particular interest to Tony

AB 1125

Rechargeable Battery Recycling Act

This law enacts the Rechargeable Battery Recycling Act of 2006. It requires, on and after July 1, 2006, a retailer, to have in place a system for acceptance and collection of used rechargeable batteries for reuse, recycling, or proper disposal with specified elements. These include the take-back at no cost to the consumer of a used rechargeable battery, the type or brand of which the retailer sold or previously sold. It allows a retailer who is participating in an existing battery recycling system that includes rechargeable batteries to continue to participate in that existing system, if the system otherwise complies with the Act. It also prohibits the sale by a retailer of a rechargeable battery to a consumer after July 1, 2006, unless the retailer complies with the Act.

May be of particular interest to Planning, BAHS

SB 253

Housing

This clean-up measure makes technical changes to statutes that related to housing, which include:

- This law changes the date by which local planning agencies must provide an annual report on general plan compliance and implementation to local legislative bodies, the Department of Housing and Community Development, and the Office of Planning and Research from October 1 to April 1, thereby making the reporting period the calendar year rather than the fiscal year, and provides that planning agencies may provide their 2006 reports by October 1, 2006.
- This law adds a cross-reference to clarify that any fees charged for the regional housing needs allocation process (RHNA) may not exceed the actual cost. (Although some technical changes are made, the underlying authority for councils of government to charge cities and counties fees for the RHNA is expected to be the subject of legal challenge).
- Existing law allows a local government or non-profit to request that a tax delinquent residential rental property be brought to sale after three years if the property is to be used as affordable housing for 30 years. This bill allows for the affordability requirement to be met with equity sharing agreements in which local government or nonprofit agencies receive a proportionate share of any profit from a future sale. Recaptured funds must be used to assist additional low-income homebuyers.

May be of particular interest to Planning, BAHS

AB 1461

Community Development Block Grant Program Funds

This measure deletes the statutory caps on funding that may be awarded to an applicant of the State Community Block Grant (CDBG) program and allows the California Department of Housing and Community Development (HCD) to determine the maximum annual grant for each program category until January 1, 2009. More specifically:

This law requires HCD to determine, and announce in the applicable Notice of Funding Availability, the maximum amounts for the following:

- Maximum annual grant available for either general program or economic development applications.

- Total amount of the State Block Grant (SBG) Program funds set aside, as well as the maximum individual grant, for economic development technical and planning assistance grants.
- Total amount of SBG Program funds set aside, as well as the maximum individual grant, for technical assistance related for housing needs.

Further, this law suspends the requirement that 10% of the total amount of funds allocated for economic development is to be awarded for economic development technical assistance, and instead requires the department to determine the percentage and maximum amount of these funds that would be allocated for this purpose.

This law requires the department to submit to the Legislature a report that indicates the number, amounts and types of grants provided under these changes.

AB 1746

Local Government Reorganization

This measure makes changes to state laws affecting local agency formation commissions (LAFCOs) and local government boundaries. This law:

- Extends the deadline for spheres of influence for LAFCOs to review, revise and update from January 1, 2006 to January 1, 2008.
- Repeals the requirement for counties to place LAFCO public member vacancies on their local appointments list because LAFCOs are now independent of county governments.
- Requires LAFCOs to post notice of their public member vacancies and send copies to all cities, special districts and the county.
- Allows the City of Arcata to annex up to 3,100 acres of non-contiguous territory for municipal water proposes, wildlife habitat, or sustainable forestry.
- Eliminates the requirement to hold protest proceedings if a change of organization or reorganization will be subject to an election.

SB 135

Community Service Districts

This bill repeals current statute and enacts a new Community Services District (CSD) law which sets out procedures for district formation, procedures for the selection of district governing board members, the powers and duties of the board, and the procedures for changing those powers and duties. More specifically this measure:

- Changes CSDs' governance in the following ways:

1. Voters can elect directors at-large, by divisions, or from divisions
 2. Voters can convert dependent CSDs into independent districts.
 3. All CSDs' boards of directors must have five directors.
 4. Directors set policy and general managers implement policy.
 5. Directors serve staggered, four year terms.
 6. Directors must follow formal procedures.
 7. General Managers have defined roles.
- Authorizes CSDs to exercise some specific regulatory powers and public services that are similar to the powers and services provided by the underlying counties and cities.
 - Requires CSDs to get other public agencies' permission before they:
 1. Provide police protection and law enforcement.
 2. Improve public works that belong to another public agency.
 3. Place underground utilities that belong to another public agency.
 4. Provide emergency medical services.
 5. Improve flood protection facilities that belong to another public agency.
 6. Remove snow from roads that belong to another public agency.
 7. Provide animal control services.
 8. Regulate streets that belong to another public agency.
 - Grants franchises over public works that belong to another public agency.
 - Reduces the bulk of the CSD Law from over 300 separate sections to 83 sections by using a cotemporary drafting format, clustering together related topics for quicker reference, and renumbering the entire CSD Law.

* However, one issue that the League of Ca. Cities took up with the author's office is related to section 56824.14 of this bill. As written this section protects local entities that provide similar services or facilities to a territory. The League had offered an amendment that said if the city was not providing this service, then LAFCO could not provide the service without approval by the city. Unfortunately, the author did not take

this amendment, so, in theory, a city could be subject to a LAFCO approving new services within a city without the city's consent.

May be of particular interest to Planning

SB 1054

Charter Schools: California Building Code Standards Code

This measure requires charter schools to meet building standards under the California Building Code as adopted and enforced by the local building enforcement agency with jurisdiction over the areas in which the charter schools are located. Specifically, this bill:

- Requires charter school facilities to comply with the provisions of the bill by January 1, 2007.
- Provides that a charter school facility is exempt from the requirements of this bill if either of the following conditions apply:
 1. The charter school facility complies with the field act; or,
 2. The charter school facility is exclusively owned or controlled by an entity that is not subject to the California Building Code, including but not limited to the federal government.

May be of particular interest to Public Works

AB 1460

Subdivisions: Release of Performance Security

This measure establishes procedures for the release and partial release of performance security by a public entity upon written notice from the subdivider of completion of work. This law provides numerous protections for a public entity during the process of release and partial release.

- Upon notice from the subdivider that work is complete, a public agency would have 45 days to review the work, comment or approve the completion of the work.
- If the public entity does not agree that all work has been completed, the public entity would be required to supply a list of remaining work to be completed by the subdivider.
- The subdivider within 45 days of receipt of the list would then have to provide cost estimates to the public entity for all remaining work and the public entity would have an additional 45 days to review, comment and approve, modify or disapprove those cost estimates.

- Upon approval of the cost estimate, the public entity would be required to release all performance security up to 200% of the cost estimate of the remaining work. The process allowing for a partial release of performance security shall occur when the cost estimate of the remaining work does not exceed 20% of the total original performance security unless the public entity allows for a release at an earlier time. Substitute bonds or other security may be used as a replacement for the performance security, subject to the approval of the public entity.
- The subdivider is entitled to a written statement of completion upon completion and acceptance of all remaining items by the public entity within 45 days.
- Within 45 days of the issuance of the written statement of completion, the release of the remaining performance security shall be placed on the agenda of the next meeting of the legislative body of the public entity for approval, or within 60 days, if the public entity delegates the authority to release the performance security to a public official or other employee.
- A reduction in the performance security is not and cannot be deemed to be, an acceptance by the public entity of the completed improvements, and the risk of loss or damage to the improvements and the obligation to maintain the improvements shall remain the sole responsibility of the subdivider.

This measure sunsets on January 1, 2011.

May be of particular interest to Planning

SB575

Housing Development Projects

This law amends existing Anti-Nimby Law to require a city or county to have met or exceeded its regional housing need for lower and moderate income housing before the jurisdiction may disapprove an affordable housing development based on lack of need. This law is intended to limit local denials and the imposition of unreasonable conditions on affordable housing and authorizes the courts to impose fines on those communities who have been deemed by the court to be operating in “bad faith”.

In addition, this measure:

1. Specifies that inconsistencies with a zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety for the purpose of disapproving or conditionally approving a housing project.
2. Prohibits a local agency from disapproving or conditionally approving a housing development project proposed for a site designated in any element of its general plan for residential uses – or for commercial uses if residential uses are permitted or conditionally permitted within commercial designations – if the local agency

has failed to identify in the land inventory in its housing element sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need for all income levels.

AB 1233

Housing Element: Regional Housing Need

This measure requires, on or after January 1, 2006, a city or county that failed to identify or make available adequate sites within their housing element to accommodate the jurisdiction's assigned share of the regional housing need to identify or zone for those sites within the first year of the next housing element planning period.

May be of particular interest to Planning, City Attorney

SB 326

Land Use: Attached Housing

This law expands existing law that prohibits local governments from requiring a conditional use permit on multi-family housing, if it meets specific requirements, to apply also to duplexes and triplexes.

Specifically, this bill would replace "multifamily" references in existing law to "attached housing", which is described as a newly constructed structure containing two or more units and consisting only of residential units. Existing law requires units subject to this law meet either of the following requirements:

- The project is exempt from under one of three narrow exemptions under the California Environmental Quality Act for specified infill, agricultural housing, and affordable housing projects, and meets the following requirements:
 1. Project is consistent with the applicable general plan, specific plan, coastal plan, local zoning and applicable mitigation measures.
 2. An EIR was certified for the applicable plan.
 3. Project can be adequately served by the utilities, and applicant has agreed to pay applicable fees.
 4. Site does not contain wetlands, is not wildlife habitat, and does not harm endangered species, protected native plants, or any species protected by local ordinance.
 5. The site is not located within the boundaries of a state conservancy or on developed open space as defined.

6. The site is not listed by the Department of Toxic Substances Control as a site containing hazardous wastes, and the site has been assessed by a registered environmental assessor for the existence of hazardous substances on the site and the potential exposure of future occupants to significant health hazards from any nearby property or activity. (Any hazardous substances or conditions discovered are required to be mitigated to a level of insignificance.)
 7. The site is not subject to a wildland fire hazard or a risk of public health exposure (as defined). [An earthquake fault/seismic hazard zone or landslide or flood zone (unless mitigated by local ordinance)].
- Or, the project meets all of the following conditions:
1. The project is subject to discretionary decision other than a conditional use permit and a mitigated negative declaration or negative declaration has been adopted for the project. If no public hearing was held with respect to the discretionary decision, then one must be held to receive comments on the above environmental documents.
 2. The project is consistent with the local general plan and zoning, as specified.
 3. The jurisdiction has done one of the following within five years: adopted a general plan, revised its land use and circulation elements, and updated any applicable specific plan or community plan.
 4. The project does not exceed 100 units at a minimum density of 12 units per acre, or the project consists of 4 or less units with a minimum density of 8 units per acre.
 5. For an unincorporated city or a census-defined place with a minimum density of 5,000 people per square mile and a total population of at least 25,000 people, not more than 50 units.
 6. The project is located on an infill parcel that is surrounded by urban users, as specified.
 7. The project meets specified affordable housing requirements.

The measure clarifies that nothing prohibits local governments from applying design and site requirements, or applies to coastal developments permits issued by the Coastal Commission. Additionally, this measure states that for the purposes of this section “attached housing development” does not include conversion of an existing structure to condominiums.

SB 1087**Housing: Water and Sewer Priority**

Existing law requires water and sewer providers to give priority for lower income housing. This measure clarifies existing law by requiring that local governments immediately deliver newly adopted housing elements and any amendments to all public agencies or private entities that provide water or sewer services and would apply these provisions to proposed developments that include affordable housing units. The law also requires that these public or private sewer agencies adopt written policies every five years to conform to the law, starting in July 2006, and directs the PUC to create sample documents for use by these agencies.

May be of particular interest to Planning, City Attorney

SB 435**Housing: Density Bonuses**

This law adds uncodified legislative intent to state that local governments encourage, to the maximum extent practicable, the location of housing developed pursuant to Density Bonus Law in urban areas with adequate infrastructure to serve the housing.

In addition, this measure makes a number of technical changes to density bonus law. Specifically, this bill:

- Clarifies that the percentage of affordability for purposes of determining the applicable density bonus is calculated by dividing the number of affordable units by the total number of units before any density bonus is applied.
- Provides that the density bonus for senior developments applies to senior mobile home parks as well.
- Alters the density bonus for moderate-income units by expanding it to all common interest developments, as opposed to just condominium or planned developments, but also by requiring that the units be for sale as opposed to rented by the developer.
- States that a project applicant can only receive one density bonus and requires the applicant to choose which density bonus he/she is seeking when the project meets the affordability thresholds for more than one income category.
- Clarifies that upon resale of a moderate-income unit, the local government shall recapture both the initial subsidy and a proportionate share of appreciation, unless in conflict with another funding source or law. Under existing law, the local government can only recapture its share of the appreciation.

- Clarifies that a local government must grant incentives and concessions only to applicants for a traditional density bonus, not to applicants for a land donation density bonus.

AB 14

Property Tax: Subdivisions: Separate Assessments

This measure prohibits an assessor from assigning parcel numbers or preparing a separate assessment related to a proposed division of a residential structure until the assessor has receives evidence that clarifies that the division has occurred in compliance with applicable laws.

This measure ensures that assessors will not provide parcel numbers to subdivisions or residential properties that have not received required local approvals.

May be of particular interest to Planning

SB 648

CEQA: Lead Agencies: Determinations

1. This law states that the public review period and the state agency review period for environmental documents may – but is not required to – begin and end at the same time. If a document is determined by the State Clearinghouse to be complete, the State Clearinghouse shall distribute the document to state agencies within three working days form the date of receipt. Day one of the review period is the day that the Clearinghouse distributes the documents to state agencies.
2. In addition, this measure requires that a dispute between agencies occur, in order for the Office of Planning and Research to designate a lead agency. This measure defines a dispute as a contested, active difference of opinion between two or more public agencies as to which of those agencies shall prepare the necessary environmental documents, or when a public agency claims that it does not have an obligation to prepare an environmental document.

May be of particular interest to Planning Finance

AB 665

Business of Massage

This law grants authority to the legislative body of a city or county to deny a massage license if proof exists that massage personnel or the owners or operators of a massage business are required to register as sex offenders.

May be of particular interest to Police, City Attorney

SB 719

Police Pursuits

This measure narrows the available immunity for public entities that employ peace officers when a third party is injured or killed in a collision with a person fleeing from police officer pursuits. Such entities receive immunity if they do the following:

- Adopt and promulgate a policy for safe conduct of motor vehicle pursuits that meet minimum state standards
- Provide regular and periodic training for their peace officers regarding safe pursuits.

This law also increases criminal penalties for willfully fleeing or attempting to escape a police pursuit in a motor vehicle.

May be of particular interest to Police

AB 1078

Contaminated Property: Methamphetamine

This law will create the “Methamphetamine Contaminated Property Cleanup Act of 2005” that does the following:

- Adopts interim uniform standards for the cleanup of methamphetamine-contaminated properties that protect the health of future occupants.
- Grants authority to local officials for the oversight of methamphetamine remediation by a property owner, and for recovering the cost of such oversight.
- Imposes a civil penalty of \$200 or the cost incurred by the local health officer, whichever cost is more, who must inspect the said property to determine if it is contaminated.
- Imposes a civil penalty on a person that violates an order issued by a health officer stating that the property is not to be occupied.

This law makes other technical provisions regarding the cleanup of properties that are deemed contaminated with methamphetamine, including its precursors and byproducts.

May be of particular interest to Police

AB 22

Trafficking in Persons

This law will create the Trafficking Victims Protection Act to:

- 1) Allow for civil and criminal penalties for human trafficking.
- 2) Allow civil action for damages to victims.

- 3) Require the forfeiture of property derived from human trafficking.
- 4) Require law enforcement agencies to provide Law Enforcement Agency Endorsement to trafficking victims.
- 5) Establishes that a human trafficking caseworker be assigned to a victim with communication privileges.
- 6) This law also creates the California Alliance to Combat Trafficking and Slavery (California ACTS), a taskforce used to study issues and provide information to the Legislature related to human trafficking until the repeal date of January 1, 2008.

Finally, this law will make human trafficking a priority crime for the Attorney General.

May be of particular interest to Police

ACR 33

Joint Committee on Human Trafficking in California

This measure establishes the Joint Committee on Human on Human Trafficking in California, which consists of five members of the Assembly appointed by the Assembly Speaker and five senate members appointed by the senate Rules Committee. The Committee will study and investigate issues relating to human trafficking in California and also create duties of the Joint Committee. The Joint Committee will function until November 30, 2006.

May be of particular interest to Police

SB 180

Human Trafficking

This law establishes the California Alliance to Combat Trafficking and Slavery (California ACTS) Task Force, which will evaluate various programs available to victims of trafficking and various criminal statutes addressing human trafficking. The task force will report to the Legislature, Governor, and Attorney General on or before July 1, 2007. This law will require the commission to develop curriculum for peace officers relating to human trafficking.

May be of particular interest to Police

AB 102

Parole: High-Risk Sex Offenders

This measure eliminates the repeal date of July 1, 2006, requiring the Department of corrections to ensure that all parolees of violent sex are placed on intensive and specialized parole supervision.

May be of particular interest to Police

AB 113

Parole Placement

This law provides that an inmate released on parole for sex offenses deemed by the Department of Corrections and Rehabilitation to pose a high public risk cannot reside or be placed within one-half mile of a public or private school (Kindergarten and grades 1 through 12).

May be of particular interest to Police

SB 723

Sexually Violent Predators: Confidential Release Program

This law prohibits a conditionally released sexually violent predator from residing within one-quarter mile of a Kindergarten and grades 1 through 12 schools.

May be of particular interest to Police

AB 118

Protective Orders; Minor Children

This law clarifies that if a criminal protective order exists, any following custody or visitation order between the same parties must make reference to, and acknowledge, the precedence of enforcement of, any appropriate criminal protective order. Further, the Judicial Council (JC) must modify any relevant criminal and civil court forms by July 1, 2006.

May be of particular interest to Police

AB 217

Sex Offenders: Nursing Facilities

This law requires that before a person who is required to register as a sex offender is released into a long-term health care facility, the California Department of Corrections (CDC), the Department of Mental Health (DMH), or any other official in charge of a place of confinement must notify the facility, in writing, that a sex offender is being released to reside at the facility.

The Commission of State Mandates will determine if this law contains costs to local agencies because it imposes a state-mandated local program and, if costs incurred, will provide the necessary reimbursement.

May be of particular interest to Police

AB 220

Domestic Violence

This law changes the term “battered women’s syndrome” to “intimate partner battering” in various code sections.

May be of particular interest to Police

AB 299

Mandatory Reporting

This law allows a mandated reporter who observes or reasonably suspects a child is a victim of child abuse to make a report to a specified agency (any police or sheriff’s department, county probation department if designated by the county, or county welfare department) by fax or electronic transmission in addition to via the telephone. The initial report must be by telephone and followed by a written report, which can be sent, faxed, or electronically transmitted. A “mandated reporter” is defined as specific child care custodians, health practitioners, law enforcement officers, and other medical and professional persons.

May be of particular interest to Police

AB 776

Child Abuse Reporting

This law requires certain law enforcement agencies and county welfare departments that receive suspected child abuse and neglect reports to keep a record of all reports received. This law further requires the mandated reporter to make reasonable efforts to submit an initial report via telephone. If the reporter is unable to make the initial report via telephone, he or she must provide a one-time automated written report via fax or electronic transmission.

A “mandated reporter” is defined as specific child-care custodians, health practitioners, law enforcement officers, and other medical and professional persons.

May be of particular interest to Police

AB 429

Temporary Restraining Orders and Protective Orders

This law creates an alternative method of service of process for a workplace violence protective order by expanding when a law enforcement official who is responding to an occurrence of reported violence must serve the defendant to include not only domestic violence and elder abuse protective orders, but also workplace violence protective orders.

May be of particular interest to Police

AB 439

Registered Sex Offenders: Dismissals of Convictions: Residence Changes

This law changes the notification procedures for a registered sex offender who is moving, and reorganizes the requirements associated with continuing to register. If a registered sex offender has more than one residence, he or she will have to register all of the

residences regardless of the number of days lived at each residence. If sex offenders are transients and will be moving out of California, he or she must first register with the local law enforcement of the city or unincorporated area in which he or she currently resides in California. Sex offenders must then register with the local law enforcement agency of the out-of-state city or unincorporated area. The out-of-state local law enforcement agency must then send the information to the Department of Justice.

May be of particular interest to Police

AB 998

Reporting: Sexual Assaults: Medical Examinations

This law requires health practitioners to report to a local law enforcement agency after providing medical services to a person in the custody of law enforcement from whom evidence is sought in the agency's criminal investigation of sexual assault.

May be of particular interest to Police

AB 1323

Registered Sex Offenders

This law updates "Megan's Law" to conform to newly enacted provisions which require the Department of Justice to post sex offender registration information on the internet. Further, any designated law enforcement entity may provide information to the public about a registered sex offender in the area by any means that the entity believes to be appropriate in order to ensure the community's public safety. However, the law enforcement agency may not authorize disclosure of registered sex offenders on an internet web site.

May be of particular interest to Police

SB 111

Statute of Limitations: Sex Crimes

This law revises the statute of limitations for sex offenses against children under the age of 18 to provide that prosecution for rape, sodomy, child molestation, oral copulation, continuous sexual abuse of a child, or forcible sexual penetration, as specified, alleged to have been committed when the victim was under the age of 18 years old, may occur any time prior to the victim's 28th birthday.

May be of particular interest to Police

SB 383

State Department of Mental Health: Sexually Violent Predators

This law allows the Department of Mental Health to enter into inter-agency agreements or contracts with the Department of Corrections and local law enforcement agencies for services related to the supervision and monitoring of sexually violent predators that have been conditionally released into the community.

May be of particular interest to Police

SB 619

Electronic Monitoring of Offenders

This law allows county probation departments, at their discretion, to use global positioning system technology to supervise persons on probation. This measure further makes declarations regarding the electronic monitoring of offenders.

May be of particular interest to Finance

AB 451

Local Sales Tax: Jet Fuel: Place of Sale

This law which will take effect January 1, 2008, will specifically identify the place of sale of jet fuel as the site where the fuel is delivered to the aircraft when there is a single sales office in California for the jet fuel sales. In making this change, it would close an unintended loophole that was created during previous legislation regulating sales taxes on jet fuel.

SB 987

County Transportation Authorities

This law authorizes any of the nine Bay Area counties (San Mateo County already has this authority) to spend a portion of its local sales tax revenues in another county if that use provided in the adopted county transportation expenditure plan. It also authorizes the membership of an authority to be specified in the county's tax ordinance.

SB 77

2005-06 Budget Chapter 38, Statutes of 2005

This law enacts the Budget Act of 2005 and provides for \$91.2 billion in available State General Fund revenues and contains \$89.2 billion in expenditures, resulting in a final balance of \$1.9 billion.

Consistent with the Prop 1A agreement, local governments will once again contribute \$1.3 billion in property tax shifts to help solve the state budget crisis. Cities, counties and special districts will contribute \$350 million each and redevelopment agencies will contribute \$250 million. The individual city contributions will remain the same as 2004-05.

Also allocated is full funding for proposition 42, which was passed by 69 percent of state-wide voters in 2002. Prop 42 dedicated the sales tax on gasoline to transportation projects, including repair and maintenance of local streets and roads, but it allowed the state to shift funding to the state general fund during times of state fiscal stress. Fiscal year 2005-06 will mark the first time since Prop 42 passed that the \$1.3 billion sales tax

on gas will be spent on transportation. Cities and counties will receive \$254 million of the amount for local streets and road maintenance projects (\$126.5 million for cities).

May be of particular interest to City Attorney

AB 1158

Civil Procedure

This law enacts several changes to California's Anti-SLAPP (Strategic Lawsuit Against Public Participation) laws, specifically related to anti-SLAPP motions and SLAPPback lawsuits.

May be of particular interest to City Attorney

AB 333

Civil Discovery

This Law makes a number of changes to existing law relative to civil discovery and depositions.

May be of particular interest to Police

AB 1051

Pocket Bikes: Restrictions

This law requires manufacturers of two-wheeled motorized vehicles, commonly known as "pocket bikes", to affix a sticker indicating that the operation of a pocket bike on a sidewalk, roadway, highway, bikeway, bicycle path or trail, equestrian trail, hiking or recreation trail, or a public lands available to off-highway motor vehicle use, is prohibited. This measure further authorizes a peace officer to remove and seize a pocket bike that is found to be operating in violation of this bill for a minimum of 48 hours. In addition, violators are responsible for all costs associated with the retrieval and storage of the pocket bike.

May be of particular interest to Public Works

AB 1637

Vehicles: Refuse or Garbage Truck: Horn: Camera

This law requires all refuse or garbage trucks purchased after January 1, 2010, to be equipped with a video camera for the purpose of improving the view of the vehicle operator when engaged in a backup maneuver. In addition, this measure requires a refuse or garbage truck purchased to be equipped with an automatic backup audible alarm regardless of when it was purchased. Previous law applied this stipulation only to vehicles purchased after September 1, 1983. A violation of this law will result in a fine of \$150 to \$250.

May be of particular interest to Public Works

AB 453

Grade Separation Projects

This law increases from one year to two years, the period within which a local agency must promise to begin a grade separation project (to separate a roadway from a railroad crossing) and complete related pre-construction activities before it can receive a grade separation project allocation from the California Transportation Commission (CTC).

May be of particular interest to Public Works

AB 1329

Design-Build Contracting: Cities

This measure authorizes cities within Yolo and Solano Counties to enter into design-build contracts until January 1, 2011, subject to the conditions and requirements currently applicable to design-build contracts in Alameda, Contra Costa, Sacramento, Santa Clara, Solano, Sonoma, Tulare Counties. This measure also limits city design-build contracting to projects that cost over \$5 million and are for the erection of structures. Cities may not enter into design-build contracts for the construction of roads, bridges and other transit and non-transit infrastructure.

May be of particular interest to Public Works

SB 130

Works of Improvement: Stop Notices

This measure amends current law stop notices for works of improvement so that a stop notice claimant may (in writing) reduce the amount or release in its entirety a stop notice served on an owner.

May be of particular interest to Public Works

SB 140

Subsurface Installations

This law allows the use of vacuum excavation devices, power-operated, or power-driven tools near subsurface installations, as long as an expressly written mutual agreement between an operator and excavator exists. In addition, this law requires operators to use the uniform color code established by the American Public Works Association when making field markings.

May be of particular interest to Police

SB 861

Animals: Vicious. Local Regulation

This law authorizes local governments to enact dog breed-specific ordinances pertaining only to mandatory spay or neuter programs and breeding requirements, provided that no specific dog breed, or mixed dog breed, shall be declared potentially dangerous or vicious under those ordinances. It requires those jurisdictions that do implement such programs

to provide quarterly statistical reports relating to dog bites to the State Public Health Veterinarian.